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PTO/SB/21 (08-00)

JUN 10 2002

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

17

Application Number

09/522,373

Filing Date

March 10, 2000

First Named Inventor

Loeb, Lawrence A.

Group Art Unit

1635

Examiner Name

K. LaCourciere

TECH CENTER 1600

JUN 17 2002

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer	Return Postcard; Terminal Disclaimer SB/25 with fee authorization to Dep. Acct. 20-1430 in 09/522,373 (2 copies); signatory authorization; copies of Power of Attorney, Cert. 3.73(b), recorded Assignment as of record in 09/522,373.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
		Remarks
The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Annette S. Parent	
Signature		
Date	05/31/02	

CERTIFICATE OF MAILING

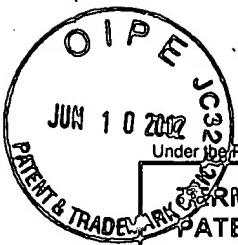
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

05/31/02

Typed or printed name	Dana Kane	
Signature		Date
	05/31/02	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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TERMINAL DISCLAIMER TO OBLIGATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)
016336-000730US

In re Application of: LOEB et al.

Application No. 09/522,373

Filed: March 10, 2000

For: INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS INTO
VIRAL RNA

The owner*, University of Washington of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 08/958,065 (U.S. Patent No. 6,063,628), filed on October 27, 1997. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney of record.

Gail H. Herman
Technology Manager, Health Sciences
Office of Technology Licensing
University of Washington

Signature

Feb 11/02

Date

Typed or printed name

- Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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OFFICE OF THE PROVOST

March 7, 2001

TO: Robert C. Miller
Vice Provost, Intellectual Property & Technology Transfer

FROM: Lee L. Huntsman, Provost

RE: Signing Authority



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This memorandum confirms that you have signing authority for the following documents and agreements. You may delegate signing authority for some or all of these documents to the Directors of the Office of Technology Licensing and the Office of Software Copyright, on a selective basis.

Intellectual property licenses to a maximum known value of \$1 million. Known value means \$U.S. to be collected by the UW without condition or performance criteria.

IP management documents to include:

- Small entity statements
- Power of attorney
- Authorization for attorney to perform work
- Copyright registration forms

Confidentiality statements to include:

- Non-disclosure agreements
- Evaluation licenses at no cost
- Academic licenses

Project-related agreements to include:

- Memoranda of understanding
- Laboratory development revenue management agreements
- Assignment agreements
- Permissions, releases, and licenses-in

Express licensing agreements to include:

- Non-exclusive, approved standard licenses
- Invoices related to purchase orders
- Material transfer agreements
- Biomaterial transfer agreements
- Interinstitutional agreements

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MAR 13 2001

g:\prov\IP&TT signing auth

From: Catherine Innes <copycat@u.washington.edu>
To: Bob Miller <rcmjr@u.washington.edu>
Date: Wednesday, February 21, 2001 10:51 AM
Subject: Delegation of authority

*Approved
Will
Protest*

Mar 30, 2001

Hi Bob,

I'd like the following individuals to have the following signature authority:

Karen Hansen:
Material transfer agreements

Ari Santander:
Material transfer agreements
Confidentiality agreements

~~Carl Homan~~, Marcia Kaufman and Annette Kleiser:
Small entity statements
Power of attorney

Brad Laesch:
Small entity statements
Power of attorney
confidentiality agreements

Karen Deyerle and David Brown:
Small entity statements
Power of attorney
confidentiality agreements
material transfer agreements
biomaterial transfer agreements up to \$50,000
evaluation licenses

Catherine Innes:
Small entity statements
Power of attorney
confidentiality agreements
material transfer agreements
all biomaterial transfer agreements
evaluation licenses
option agreements
interinstitutional agreements
licenses up to \$500,000

Thanks,

Cathy



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Attorney Docket No. 016336-000730US

POWER OF ATTORNEY BY ASSIGNEE

University of Washington is the Assignee of the invention entitled: INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING RIBONUCLEOSIDE ANALOGS INTO VIRAL RNA, the specification of which _____ is attached hereto or x was filed on March 10, 2000 as Application Serial No. 09/522,373.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

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Timothy L. Smith, Reg. No. 35,367
Ellen Lauver Weber, Reg. No. 32,762
Annette S. Parent, Reg. No. 42,058
Kathleen L. Choi, Reg. No. 43,433
Jeffry S. Mann, Reg. No. 42,837

JUN 17 2002

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Send Correspondence to: Annette S. Parent TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8 th Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, reg. no., tele. no.) Annette S. Parent Reg. No.: 42,058 (415) 576-0200
---	--

UNIVERSITY OF WASHINGTON

Date: 7 - 10 - 00

By:
(Signature)

Name: Karen L. Dayrie, Ph.D.
Title: Manager, Health Sciences
Office of Technology Transfer
University of Washington



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CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Applicant: Lawrence A. Loeb and James I. Mullins

Application No.: 09/522,373

Filed: March 10, 2000

For: INDUCTION OF VIRAL MUTATION BY INCORPORATION OF MISCODING REBONUCLEOSIDE ANALOGS INTO VIRAL RNA

University of Washington, a university

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame(s) _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Karen L. Deyerle, Ph.D.

Manager, Health Sciences

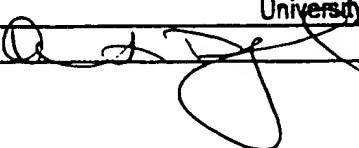
Office of Technology Transfer

University of Washington

Date : 7-10-02

Name : _____

Title : _____

Signature: 

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lawrence A. Loeb, of 13808 N.E. 36th Place, Bellevue, Washington 98005, and James I. Mullins of 3134 East Laurelhurst Drive, N.E., Seattle, Washington 98105-5333, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: INDUCTION OF VIRAL MUTATION BY
INCORPORATION OF MISCODING RIBONUCLEOSIDE
ANALOGS INTO VIRAL RNA

Date(s) of execution of Declaration: July 10th, 2000

Filing Date: March 10, 2000

Application No.: 09/522,373

WHEREAS, University of Washington, of 1107 N.E. 45th Street, Suite 200, Seattle, Washington, 98105-4631, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

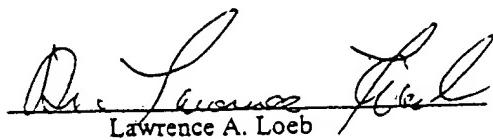
Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

NOT FOR RECORDATION

Assignment
Attorney Docket No.: 16336-000730US
Page 2

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 7/10/2000

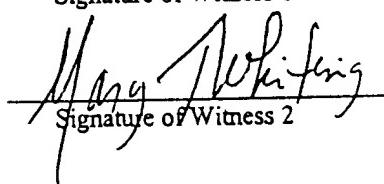

Lawrence A. Loeb

SIGNATURE WITNESSED BY:

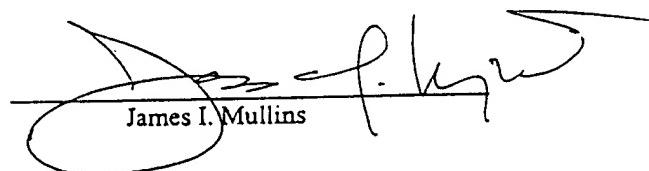
(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: July 10, 2000


Signature of Witness 2

Dated: 7/10/00

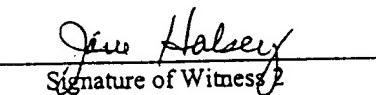

James I. Mullins

SIGNATURE WITNESSED BY:

(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: 7/10/00


Signature of Witness 2



01633-000730US
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SEPTEMBER 11, 2000

PTAS
TOWNSEND AND TOWNSEND AND CREW LLP
ANNETTE S. PARENT
TWO EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CALIFORNIA 94111-3834



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT TECH CENTER 1600/2900

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/12/2000

REEL/FRAME: 010933/0756
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
LOEB, LAWRENCE A.

DOC DATE: 07/10/2000

ASSIGNOR:
MULLINS, JAMES I.

DOC DATE: 07/10/2000

ASSIGNEE:
UNIVERSITY OF WASHINGTON
1107 N.E. 45TH STREET, SUITE 200
OFFICE OF TECHNOLOGY TRANSFER
SEATTLE, WASHINGTON 98105-4631

SERIAL NUMBER: 09522373
PATENT NUMBER:

FILING DATE: 03/10/2000
ISSUE DATE:

TOWNSEND & CREW
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010933/0756 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

07-25-2000

Docket No. 16336-000730US

FORM PTO-1595
(Rev. 6-93)

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Lawrence A. Loeb
James I. MullinsAdditional name(s) of conveying parties attached? Yes No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: July 10, 2000

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

JUN 17 2002
TECH CENTER 1600/2900

A. Patent Application No(s): 09/522,373

B. Patent No(s):

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Annette S. Parent
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

6. Total number of applications and patents involved: One

7. Total fee (37 CFR 3.41): \$40.00

 Enclosed Charge Fees to Deposit Account Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true copy of the original document.

Annette S. Parent
Name of Person Signing*Annette S. Parent**July 12, 2000*

Atty Reg. No. 42,058

Total number of pages including cover sheet, attachments and document 3

10. Change Correspondence Address to that of Part 5? Yes No

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Asst. Commissioner for Patents
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Washington, D.C. 20231COPY OF PAPERS
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ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Lawrence A. Loeb, of 13808 N.E. 36th Place, Bellevue, Washington 98005, and James I. Mullins of 3134 East Laurelhurst Drive, N.E., Seattle, Washington 98105-5333, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: INDUCTION OF VIRAL MUTATION BY
 INCORPORATION OF MISCODING RIBONUCLEOSIDE
 ANALOGS INTO VIRAL RNA

Date(s) of execution of Declaration: July 10th, 2000

Filing Date: March 10, 2000

Application No.: 09/522,373

WHEREAS, University of Washington, of 1107 N.E. 45th Street, Suite 200, Seattle, Washington, 98105-4631, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

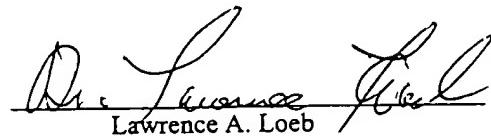
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignment
Attorney Docket No.: 16336-000730US
Page 2

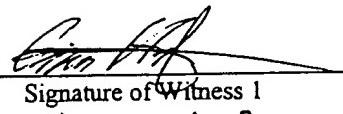
IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 7/10/2000

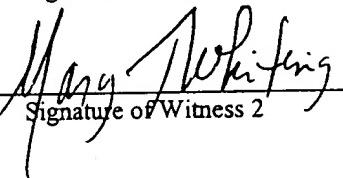

Lawrence A. Loeb

SIGNATURE WITNESSED BY:

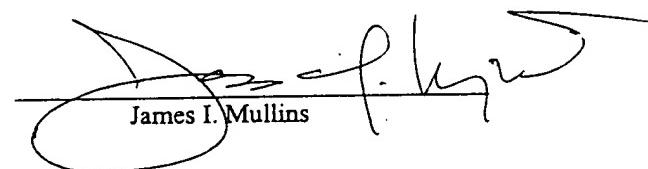
(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: July 10, 2000

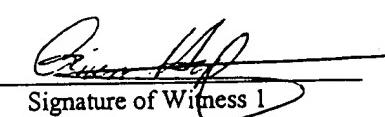

Signature of Witness 2

Dated: 7/10/00

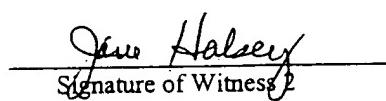

James I. Mullins

SIGNATURE WITNESSED BY:

(1) Date: 7/10/2000


Signature of Witness 1

(2) Date: 7/10/00


Signature of Witness 2



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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Loeb and Mullins

Application No.: 09/522,373

Filed: March 10, 2000

For: INDUCTION OF VIRAL
MUTATION BY INCORPORATION OF
MISCODING RIBONUCLEOSIDE
ANALOGS INTO VIRAL RNA

Examiner: K. LaCourciere

Art Unit: 1635

TRANSMITTAL OF TERMINAL
DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed to be made of record in the above-referenced application is a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application, Serial No. 08/958,065. This Terminal Disclaimer attaches assignee's proof of signing authority and copies of the appropriate Power of Attorney, Certificate Under 37 C.F.R. §3.73(b) and recorded Assignment, all of record in 09/522,373.

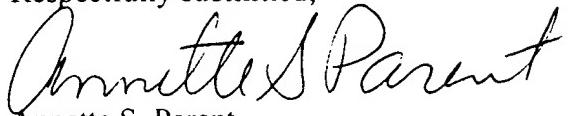
The Assistant Commissioner for Patents is hereby authorized to charge to Deposit Account No. 20-1430 the requisite fee of \$55.00 under small entity status, in accordance with 37 C.F.R. §1.20(d). The Assistant Commissioner is further authorized to charge any additional fees or credit any overpayment to the foregoing deposit account. This fee authorization is submitted in duplicate.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Annette S. Parent
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
ASP:dk
SF 1351344 v1